

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

JUL 12 2002

PATRICK FISHER
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

AUGUSTINE AMEZOLA,

Defendant-Appellant.

No. 02-3196
(D.C. No. 02-CR-10066-WEB)
(D. Kan.)

ORDER AND JUDGMENT*

Before **HENRY**, Circuit Judge, **BRORBY**, Senior Circuit Judge, and **LUCERO**,
Circuit Judge.

After examining the briefs and appellate record, this panel has determined
unanimously that oral argument would not materially assist the determination of
this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is
therefore ordered submitted without oral argument.

* This order and judgment is not binding precedent, except under the
doctrines of law of the case, res judicata, and collateral estoppel. The court
generally disfavors the citation of orders and judgments; nevertheless, an order
and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

Defendant Augustine Amezola appeals the district court's denial of release pending trial. On July 9, 2002, defendant pled guilty to a superseding information in the district court and was remanded to custody. Because defendant no longer has a legally cognizable interest in the decision whether he should have been released on bail pending trial, his appeal is moot. *See Murphy v. Hunt*, 455 U.S. 478, 481 (1982) (per curiam) (concluding that a defendant's claim to pretrial bail was moot once he was convicted).

The appeal is DISMISSED as moot.

ENTERED FOR THE COURT
PER CURIAM